

REMARKS

The above Amendments and these Remarks are in reply to the Restriction Requirement mailed July 31, 2007. Claims 19 and 67-86 are currently pending. The present Reply cancels claim 86, leaving for the Examiner's present consideration claims 19, 67-75, 84 and 85. Reconsideration of the rejections is requested.

I. Restriction Requirement

Claims 19, 67-75 and 84-86 were pending in the Application prior to the present Office Action. In the Office Action, the Examiner indicates that claims 19, 67-75 and 84 are generic claims that will be examined. The Examiner further restricts claims 85 and 86 to the following patentably distinct species:

- Species A: directed to a first embodiment where the upper electrode comprises aluminum; and
- Species B: directed to a second embodiment where the upper electrode comprises silicon and/or graphite.

Applicants hereby elect, without traverse, species A for present consideration. Claim 86 is withdrawn from consideration at this time, and has been canceled, leaving for the Examiner's present consideration claims 19, 67-75, 84 and 85. Applicants reserve the right to reinstate and/or to prosecute any withdrawn or canceled claims in a currently pending or future application. Reconsideration of the Application as amended is respectfully requested.

II. Conclusion

In light of the above and in light of the Reply to the non-final Office Action of January 25, 2007, it is respectfully submitted that the claims now pending in the subject patent application should be allowable, and a Notice of Allowance is requested. The Examiner is respectfully requested to telephone the undersigned should he have any inquiries.

The Commissioner is authorized to charge any underpayment or to credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this reply, including any fee for extension of time, which may be required.

Respectfully submitted,

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